

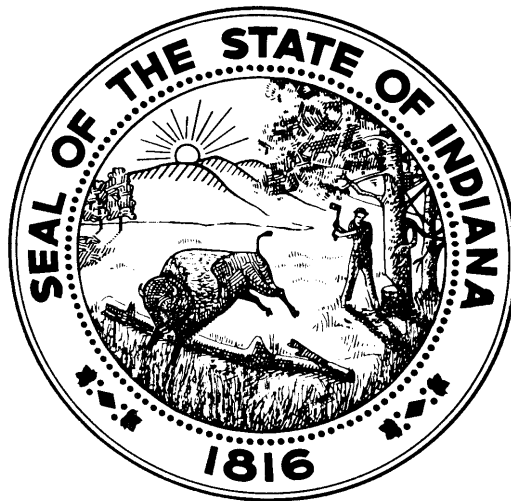
STATE BOARD OF ACCOUNTS
302 West Washington Street
4th Floor, Room E418
Indianapolis, IN 46204-2765

STATE OF INDIANA

STATE BOARD OF ACCOUNTS

AGENCY GUIDELINES FOR CONDUCT OF RECOUNTS
FOR THE
STATE RECOUNT COMMISSION

November 13, 2008



Bruce A. Hartman, CPA
State Examiner

Michael H. Bozyski, CPA
Deputy State Examiner

Paul D. Joyce, CPA
Deputy State Examiner

TABLE OF CONTENTS

<u>Description</u>	<u>Page</u>
Introduction	2
Staff Procedures for Recount.....	3-4
Procedures for Individual Inspection of Ballots.....	5
Basic Validity Rules (Mnemonic)	
Ballots or Emergency Ballots.....	6
Absentee Ballots.....	7
Crossvotes and Overvotes.....	8
Table Layout	9
Sample Workpapers	
Form 1 SBoA Precinct Tally Sheet.....	10-13
Form 2 – SBoA Summary Paper Ballot Tally Sheet.....	14
Form 3 – SBoA Paper Ballot Tally Sheet	15
Form 4 – SBoA Election Night Printout Inspection Sheet	16
Form 5 – SBoA Poll List Signature Count	17
Form 6 – SBoA Exhibit List.....	18
State Recount Commission Guidelines for Conduct of an Election Recount and Contest.....	Appendix
Indiana Code Citations.....	Appendix

INTRODUCTION

TO: Supervisors, Field Examiners, Audit Assistants and Clerks of Circuit Court

Under the provisions of Indiana Code Section 3-12-10-8, the State Board of Accounts shall conduct any recount or other contest proceeding ordered by the State Recount Commission. This manual is designed to meet the needs of recounting federal, state and legislative elections and is subject to change. Through this document, the State Board of Accounts is instructing its Supervisors, Field Examiners, and Audit Assistants in the internal agency guidelines necessary to carry out the recount duties. For convenience of our staff, we have enclosed, as an appendix, the guidelines adopted and amended by the State Recount Commission. As always, any questions or problems will be resolved by the Supervisors acting through and on behalf of the State Examiner and Deputy State Examiners that comprise the State Board of Accounts. This manual is not intended to be used by local officials for local election recounts.

STATE BOARD OF ACCOUNTS

Bruce A. Hartman, CPA
State Examiner

Michael H. Bozyski, CPA
Deputy State Examiner

Paul D. Joyce, CPA
Deputy State Examiner

SBoA PROCEDURES FOR RECOUNT

RECOUNT PROCEDURE

I. General Instructions

- A. Head up SBoA Precinct Tally Sheet (Form 1).
- B. Completely answer all preliminary questions on tally sheet.
- C. Proceed with appropriate counting procedures.

II. Electronic Voting Systems

- A. Complete and count signatures on SBoA Poll List Signature Count (Form 5). That count should match the public counter reading plus absentee ballots; explain variance if possible before proceeding.
- B. Count paper ballots, including absentee, provisional and emergency ballots, by hand, determine their validity, and enter the necessary information on the SBoA Paper Ballot Tally Sheet (Form 3) and transfer information to SBoA Summary Paper Ballot Tally Sheet (Form 2).
- C. Submit problems, questions and discrepancies to the SBoA Supervisor ("Supervisor") or his designee or Recount Director. Do not sign the SBoA Precinct Tally Sheet (Form 1) until problems and discrepancies have been addressed.
- D. Submit all Forms to the Supervisor immediately upon completion of the precinct.
- E. Upon request, Supervisor submits copies of Forms 1 through 6 and exhibits to candidates.
- F. At the direction of the Recount Director and Supervisor, the absentee or system reviews may be performed separately by separate audit teams.
- G. At the direction of the Recount Director and Supervisor, computer cartridges from electronic voting systems may be read through one or more electronic voting systems. Each individual electronic voting system will not be inspected unless specifically directed by the Recount Director and Supervisor.

III. Ballots

- A. Inspect container seals. Answer questions concerning container on SBoA Precinct Tally Sheet (Form 1).
- B. Examine all materials in container.
- C. Count the signatures on the poll list, complete the SBoA Poll List Signature Count (Form 5) and enter pertinent data on the SBoA Precinct Tally Sheet (Form 1).
- D. Examine all ballots set aside by precinct election board as not counted and determine their validity.

RECOUNT PROCEDURE (Continued)

- E. Damaged or defective ballots are replaced prior to the count on election day. The duplicate ballots must be labeled "duplicate" and bear a serial number which is recorded on the damaged defective ballot. Verify that the number of damaged or defective ballots equals the number of duplicates and that the serial numbers match.
- F. Examine for validity and manually count damaged (if not duplicated) ballots and absentee ballots by hand. Enter totals on SBoA Precinct Tally Sheet (Form 1).
- G. Examine each ballot to determine validity and segregate as necessary.
- H. Upon request, count each ballot manually or tabulate electronically.
- I. Enter the totals on the SBoA Paper Ballot Tally Sheet (Form 3) and transfer information to SBoA Summary Paper Ballot Tally Sheet (Form 2) and transfer information to SBoA Precinct Tally Sheet (Form 1).
- J. Check the totals against those certified to the clerk of the circuit court.
- K. Submit problems, questions and discrepancies to the Supervisor and Recount Director. Do not sign the SBoA Precinct Tally Sheet (Form 1) until problems have been addressed.
- L. Submit all Forms to the Supervisor immediately upon completion of the precinct.
- M. Upon request, Supervisor submits copies of Forms 1 through 6 and exhibits to candidates.

IV. Working Papers

- A. One member of the audit team shall physically handle all ballot materials. The other member shall record the necessary information in the workpapers which must be kept by the audit team.
- B. The following workpapers must be kept by the audit team:
 - 1. SBoA Precinct Tally Sheet (Form 1)
 - 2. SBoA Summary Paper Ballot Tally Sheet (Form 2)
 - 3. SBoA Paper Ballot Tally Sheet (Form 3)
 - 4. SBoA Election Night Printout Inspection Sheet (Form 4)
 - 5. SBoA Poll List Signature Count (Form 5)
 - 6. SBoA Exhibit List (Form 6)
 - 7. Any other workpapers considered necessary by the Supervisor or Recount Director.

PROCEDURES FOR INDIVIDUAL INSPECTION OF BALLOTS

In accordance with the SBoA Procedures for Recount, validity rules and other procedures in this manual, physically inspect the ballots as follows:

1. Hold the ballot up and declare the candidate for whom the ballot is counted in each affected race.
2. Review the validity rules and declare whether the ballot is valid or invalid.
3. After allowing the candidate watchers the opportunity to view the ballot and dispute the ballot, place the ballot on the proper stack on the table.
4. For each disputed ballot:
 - a) Stamp the ballot with the exhibit stamp in a location that does not interfere with the ability to read the ballot.
 - b) Complete the information requested on the exhibit stamp.
 - c) Add the exhibit information to the SBoA Exhibit List (Form 6).
 - d) Copy the disputed materials to be attached to Forms 1 through 6.

BASIC RULES

BALLOTS OR EMERGENCY BALLOTS
(NOT ABSENTEES)

Remember PIC - OM

- P - Precinct Designation
- I - Initials of Poll Clerks
- C - Checkmark verification
- O - Overvotes in Affected Race
- M - Marks on the Ballot (for identification purposes)

BASIC RULES

ABSENTEE BALLOTS AND PROVISIONAL BALLOTS

Remember PICS - OM

- P - Precinct Designation
- I - Initials of Board Members or Authorized Representatives
- C - Checkmark verification
- S - Seal and Signature of Clerk
- O - Overvotes in Affected Race
- M - Marks on the Ballot (for identification purposes)

CROSSVOTES AND OVERVOTES

(IC 3-12-1-7)

1. Straight ticket marked and ballot marked for relevant candidate of same party – count as vote for the candidate.
2. Single straight ticket marked and ballot marked for relevant candidate of opposite party – count as vote for opposite party candidate with ballot marked. (Ignore straight party mark.)
3. Straight ticket marked and ballot marked for irrelevant race – count as vote for relevant candidate as dictated by straight vote.
4. Multiple straight ticket marked for more than one political party results in an invalid ballot.
5. Ballot marked for more than one candidate in the same race – count as a no vote for that race.

TABLE LAYOUT

After calling, the ballots are placed on the table in the following stacks:

SECTION A - UNDISPUTED VALID BALLOTS

Stack 1 Candidate 1

Stack 2 Candidate 2

Stack 3 Candidate 3

SECTION B - UNDISPUTED INVALID BALLOTS

Stack 1 Candidate 1

Stack 2 Candidate 2

Stack 3 Candidate 3

SECTION C - DISPUTED VALID BALLOTS

Stack 1 Candidate 1

Stack 2 Candidate 2

Stack 3 Candidate 3

SECTION D – DISPUTED INVALID BALLOTS

Stack 1 Candidate 1

Stack 2 Candidate 2

Stack 3 Candidate 3

SECTION E - WRITE IN BALLOTS

SECTION F – NO VOTES

SBoA PRECINCT TALLY SHEET

District _____ Candidate 1 (C1) _____

County _____ Candidate 2 (C2) _____

Precinct _____ Candidate 3 (C3) _____

Write In (WI) – Write In vote this race

No Vote (NV) – No vote this race or
straight party vote with
candidate in this race or
two candidates marked in
same race

I. Precinct Container

1. What is the seal number on the container, if applicable? _____
2. Was precinct container sealed so that its contents could not be added to or removed without breaking a seal, tape, or other closure? Describe the type of seals used: _____

3. What initials, dates, or other writing described the seal: _____

II. County Precinct Tally Certificate (County tally after Election Day we request by precinct and in grand total)

4. Total number of all votes cast (sum of all machine, absentee ballots, provisional ballots and emergency ballots) in affected race as recorded on the precinct certificate: C1 _____ + C2 _____ + C3 _____ + WI _____ + NV _____ = Total _____
5. Number of absentee ballot votes cast in the affected race as recorded on the precinct certificate: C1 _____ + C2 _____ + C3 _____ + WI _____ + NV _____ = Total _____
6. Number of provisional ballot votes provisional ballot votes cast in the affected race as recorded on the precinct certificate: C1 _____ + C2 _____ + C3 _____ + WI _____ + NV _____ = Total _____

7. Number of emergency ballot votes cast in the affected race as recorded on the precinct certificate: C1 _____ + C2 _____ + C3 _____ + WI _____ + NV _____ = Total _____

III. Absentee Voters

8. Number of absentee voter applications: _____
9. Number of absentee voter affidavits: _____
10. Number of absentee ballots delivered to the precinct: _____
11. Number of absentee voters listed on poll list (from Form 5): _____

Does this figure agree with question 5, above: _____

12. If no, explain variance: _____

IV. Provisional Ballots

13. Number of provisional ballots cast in precinct: _____

14. Number of provisional ballots determined valid by county election board: _____

15. Number of valid provisional ballots rejected due to over vote in this race, lack of initial, and distinguishing marks, etc. _____

16. Does number of valid provisional ballot votes, minus rejected ballots, agree with question 6, above: ____

17. If no, explain variance if known: _____

18. Reconciliation:

A. Electronic Votes

Total Number of "in person" voters

per the SBoA Poll List Signature Count (from Form 5) _____

per the Public Counter or Cartridge Printout (per Precinct Tally) _____

Variance _____

Explain variance if known:

B. Absentee Ballots

Total Number of absentee voters

per the SBoA Poll List Signature Count (from Form 5) _____

per SBoA Summary Paper Ballot Tally Sheet (from Form 2) _____

Variance _____

Explain variance if known:

C. Provisional Ballots

per the County Election Board (CEB) _____

per SBoA Summary Paper Ballot Tally Sheet (from Form 2) _____

Variance _____

Explain variance if known:

D. Emergency Ballots _____

per the SBoA Precinct Tally Sheet (Form 1) _____

per SBoA Summary Paper Ballot Tally Sheet (from Form 2) _____

Variance _____

Explain variance if known:

E. Total Vote Count

	Total votes cast in <u>affected</u> race					
	C1	C2	C3	WI	NV	Total
per SBoA Precinct Tally Sheet (from II.4)	_____	_____	_____	_____	_____	_____
per SBoA Summary Paper Ballot Tally Sheet (from Form 2)	_____	_____	_____	_____	_____	_____
Variance	_____	_____	_____	_____	_____	_____

Explain variance if known:

19. Disputes:

A. Have any ballots been disputed in this precinct (from Form 6)? _____

B. Has the entire precinct been disputed per IC 3-12-11-17.7? _____

1. Disputed by: _____

2. Reasons stated by candidate or representative for dispute, if any:

C. Exhibits should be identified by number and listed separately on the workpaper "SBoA Exhibit List." (Form 6)

D. Other Comments: _____

E. Names of Observers: _____

F. New Seal Number _____

G. Note to SBoA Field Examiner:
Notify candidates and/or representatives that this is the last opportunity to dispute a ballot.

Date: _____

Field Examiner _____

Field Examiner _____

Received by SBoA Supervisor:

Date: _____

SBoA Supervisor

SBoA Summary Paper Ballot Tally Sheet

Electronic (1)						Paper Ballots (Absentee, Provisional or Emergency) (2)					Totals [(1) + (2)]				
18. SBoA Vote Tally	C1	C2	C3	Write In	No Vote	C1	C2	C3	Write In	No Vote	C1	C2	C3	Write In	No Vote
A. Valid Ballots						Valid					Total Valid				
Electronic						Absentee									
I Votes						Provisional									
						Emergency									
Total Valid Ballots						Total									
B. Invalid Ballots						Invalid					Total Invalid				
Electronic						Absentee									
I Votes						Provisional									
						Emergency									
Total Invalid Ballots						Total									
C. Disputed Ballots						Disputed					Total Disputed				
Valid:						Valid:									
Electronic						Absentee									
I Votes						Provisional									
						Emergency									
Invalid:						Invalid:									
Electronic						Absentee									
I Votes						Provisional									
						Emergency									
Total Disputed Ballots						Total									

SBoA Paper Ballot Tally Sheet For
Absentee Ballots, Provisional Ballots and Emergency Ballots

District _____
County _____
Precinct _____

Candidate (C1) _____
Candidate (C2) _____
Candidate (C3) _____

SBoA DETERMINATION							DISPUTED BY CANDIDATES REPRESENTATIVES						
VALID BALLOTS			INVALID BALLOTS				DISPUTED VALID			DISPUTED INVALID			
Absentee	Provisional	Emergency	Absentee	Provisional	Emergency		Absentee	Provisional	Emergency	Absentee	Provisional	Emergency	
C1													
C2													
C3													
Write In													
No Votes													

The totals of Form 3 should be posted to Form 2

SB0A ELECTION NIGHT PRINTOUT INSPECTION SHEET

District _____ Candidate 1 (C1) _____
 County _____ Candidate 2 (C2) _____
 Precinct _____ Candidate 3 (C3) _____
 Machine Number _____

1. Was election night printout in a sealed container? _____
2. Did the printout show that the machine was programmed so that no over voting could occur in the affected race? _____
3. Was the machine tested to ensure votes were recorded correctly? _____
4. Were the vote tallies for each candidate equal to zero at the opening of the polls?

5. Total voters: _____
6. Total votes cast in affected race:

Candidate	Votes
Candidate 1	
Candidate 2	
Candidate 3	

7. Does the printout reconcile to the cartridge reading for the affected race? _____

SBoA Poll List Signature Count

District _____
 County _____
 Precinct _____

Page	Signatures	Absentee	Page	Signatures	Absentee	Page	Signatures	Absentee
1			51			101		
2			52			102		
3			53			103		
4			54			104		
5			55			105		
6			56			106		
7			57			107		
8			58			108		
9			59			109		
10			60			110		
11			61			111		
12			62			112		
13			63			113		
14			64			114		
15			65			115		
16			66			116		
17			67			117		
18			68			118		
19			69			119		
20			70			120		
21			71			121		
22			72			122		
23			73			123		
24			74			124		
25			75			125		
26			76			126		
27			77			127		
28			78			128		
29			79			129		
30			80			130		
31			81			131		
32			82			132		
33			83			133		
34			84			134		
35			85			135		
36			86			136		
37			87			137		
38			88			138		
39			89			139		
40			90			140		
41			91			141		
42			92			142		
43			93			143		
44			94			144		
45			95			145		
46			96			146		
47			97			147		
48			98			148		
49			99			149		
50			100			150		
Totals								
						Grand Totals		

SB0A EXHIBIT LIST

DISTRICT _____

CANDIDATE 1 (C1) _____

COUNTY _____

CANDIDATE 2 (C2) _____

PRECINCT _____

CANDIDATE 3 (C3) _____

Note: The original exhibit should be stamped and numbered; only the first page of a poll book need be stamped and numbered.

[illegible]

APPENDIX

STATE RECOUNT COMMISSION
GUIDELINES FOR CONDUCT OF AN
ELECTION RECOUNT AND CONTEST

INDIANA CODE CITATIONS